

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/604,618
Applicant : John Francis Baxter Jr.
Filed: : 08/05/2003
TC/A.U. : 2645
Examiner : Roland G. Foster
Docket No. : 1135.26.DIV2
Customer No. : 21,901
For : Audio File Transmission Method

Confirmation No.: 1617

RECEIVED
CENTRAL FAX CENTER

DEC 23 2004

Faxed to Technology Center 2600 at (703) 872-9314
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

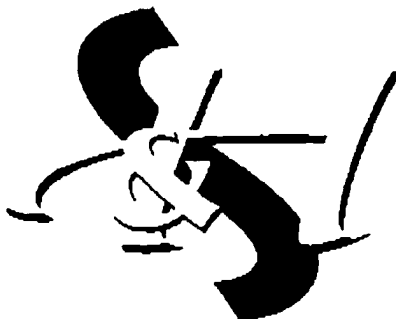
Dear Sir:

In response to the nonfinal Examiner's Action mailed September 23, 2004, having a shortened statutory period for response set to expired December 23, 2004, the above-identified patent application is amended a first time as follows:

AMENDMENT A
(37 C.F.R. § 1.111)

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.



smith & hopen, p.a.

15950 Bay Vista Drive, Suite 220
Clearwater, Florida 33760
727.507.8558 Tel
727.507.8668 Fax
www.baypatents.com

RECEIVED
CENTRAL FAX CENTER

DEC 23 2004

Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Anton J. Hopen
Attn:	Roland G. Foster - Art Unit 2645	Client:	1135.26.DIV2
Fax:	(703) 872-9314	Pages:	8 including coversheet
Phone:	(703) 305-1491	Date:	December 23, 2004
Re:	USSN 10/604,618	CC:	John Francis Baxter, Jr.

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Foster:

In response to the non-final office action mailed September 23, 2004, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 23, 2004 (2 pages); and
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 23, 2004 (5 pages).

Very respectfully,

Anton J. Hopen
Reg. No. 41,849

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,618
Applicant: : John Francis Baxter, Jr.
Filed: : 08/05/2003
Art Unit : 2645
Examiner : Roland G. Foster

Docket No. : 1135.26.DIV2
Customer No. : 21,901
For : Audio File Transmission Method

RECEIVED
CENTRAL FAX CENTER

DEC 23 2004

Faxed to Technology Center 2600 at (703) 872-9314
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

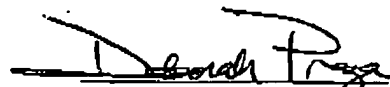
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2645, Attn: Roland G. Foster, (703) 872-9314, on December 23, 2004.

Dated: December 23, 2004


Deborah Preza

(Amendment Transmittal—page 1)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1) Claims Remaining After Amendment		(Col.2) Highest No. Previously Paid For		(Col.3) SMALL ENTITY Present Extra Rate	Addit. Fee
Total	6	Minus	20	= 0	x \$25 =	\$0
Indep.	1	Minus	3	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total						Addit. Fee \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,


SIGNATURE OF PRACTITIONER

Reg. No. 41,849
Tel. No.: (727) 507-8558

Anton J. Hopen
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

(Amendment Transmittal—page 2)